

IN THE DRAWINGS:

Please replace the one (1) drawing sheet containing Figs. 8 and 9 with the "Replacement Sheet" included herewith. The corrections are shown in red ink on the one (1) sheet labeled "Annotated Marked-Up Drawings" also included, and reflect the following modifications:

- 1) The directional line for numeral 40 has been moved to point to the solid line shape to correctly identify the "deformed state 40 of guide member 19" in Fig. 9; and
- 2) The directional line for numeral 19 has been changed to a dotted line and has also been moved to point to the dotted line shape to correctly identify "guide member 19" in Fig. 9.

REMARKS:

Claims 14-16 were previously withdrawn from examination in response to a restriction requirement filed on 25 April 2006.

Claims 1-13 and 17-20 have been rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and claim the subject matter.

Claims 1-13 and 17-20, so far as definite, have been rejected under 35 U.S.C. §103(a) as being unpatentable over the applicants admission of Prior Art, as set forth in Figs. 18-20 of the present application in view of Tornero ('107).

35 U.S.C. §112, Second Paragraph Rejections

The Examiner has rejected claims 1-13 and 17-20 under 35 U.S.C. §112, second paragraph, citing infiniteness. Without admitting that the claims were indefinite, applicant has amended the claims to overcome the stated deficiencies.

In response to the Examiner's statement that there should be some description of the function and purpose of the elliptical channel, (page 2, lines 17-20 of the Office Action mailed 11 July 2006), applicant respectfully refers the Examiner to applicant's specification particularly, page 9, line 18 through page 10, line 16. Applicant has amended claim 17 to reflect the function and purpose of the elliptical nature of the channel.

35 U.S.C. §103(a)

Claims 1-13 and 17-20 have been rejected under 35 U.S.C.

\$103(a) in view of Tornero ('107), as the reference appears to show the structure as claimed.

Independent claim 1 has now been amended to contain a means for limiting displacement of the strut member within the mounting member cavity. This element is neither found in the prior art of Tornero '107 nor obvious to a person of ordinary skill in the art. In light of the nonobviousness of independent claim 1, dependent claims 2-13 are also nonobvious and therefore believed to be patentable.

With respect to claims 17-20, applicant respectfully refutes the interpretation that the drawing figures in the cited patent of Tornero '107 disclose an elliptical channel insofar as the channels disclosed in Tornero '107: Figs. 2 & 3 (elements 15-18) and Figs. 9 & 10 (elements 44-45) are visually circular, not elliptical. In light of the nonobviousness of independent claim 17, dependent claims 18-20 are also nonobvious and therefore believed to be patentable.

Conclusion

With regards to the Restriction Requirement mailed 18 April 2006, the Examiner determined that the claims directed to three (3) distinct species, namely: 1) Figs. 1-7, 9 and 11; 2) Figs. 12 and 13; and 3) Figs. 14-17. No reference to Fig. 10 was established. Accordingly, applicant's attorney telephoned the Examiner and it was discussed and established that Fig. 10 goes with Fig. 11 and was included in the species election made of record in the response filed 25 April 2006 in which claims 1-13 and 17-20 readable on Figs. 1-7 and 9-11 was elected.

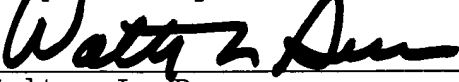
Applicant opines that no new matter has been introduced by the offered amendments. In light of the amendments and arguments, applicant asserts the rejections to be overcome, and respectfully requests that the application now be allowed.

Drawing Fig. 9 has currently been amended to correctly show "deformed state 40" as solid lined and the numeral 19 is now shown to be directed to the dotted line shape. Two (2) sheets, one entitled: "Annotated Marked-Up Drawings" and one entitled: "Replacement Sheet" are included herewith. No new matter has been included. The modifications only corrects the character lines for accuracy as indicated.

Accordingly, applicant believes with the changes made to the specification, drawings and claims that all remaining claims as now presented are in condition for allowance over the prior art patent of Tornero whether such art is considered under §102 or under §103. Claim allowance is therefore earnestly solicited at the Examiner's earliest convenience.

Respectfully submitted,

By:



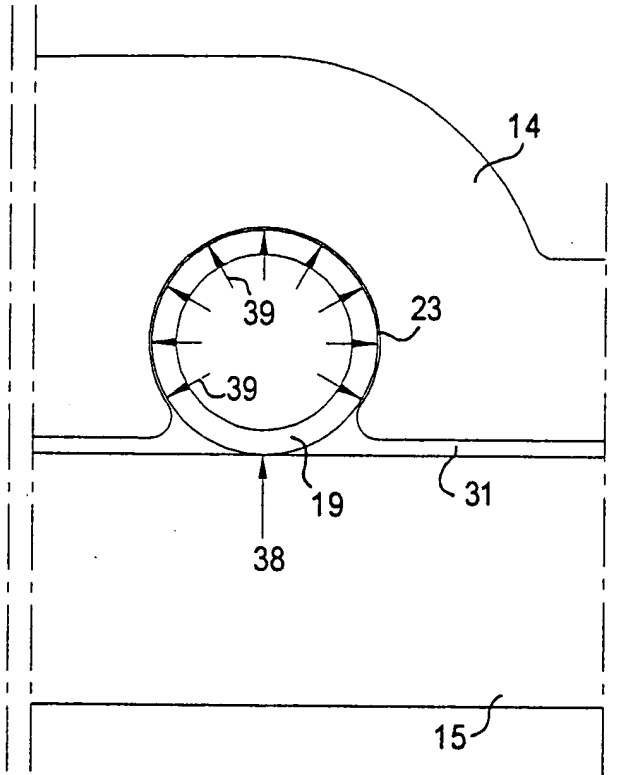
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I do hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to Mail Stop Amendment, Director of the United States Patent and Trademark Office, P.O. Box 1450, Alexandria, Virginia 22313-1450, on this the 10th day of October, 2006.


Walter L. Beavers



"ANNOTATED MARKED-UP DRAWINGS"



(PRIOR ART)
FIG. 8

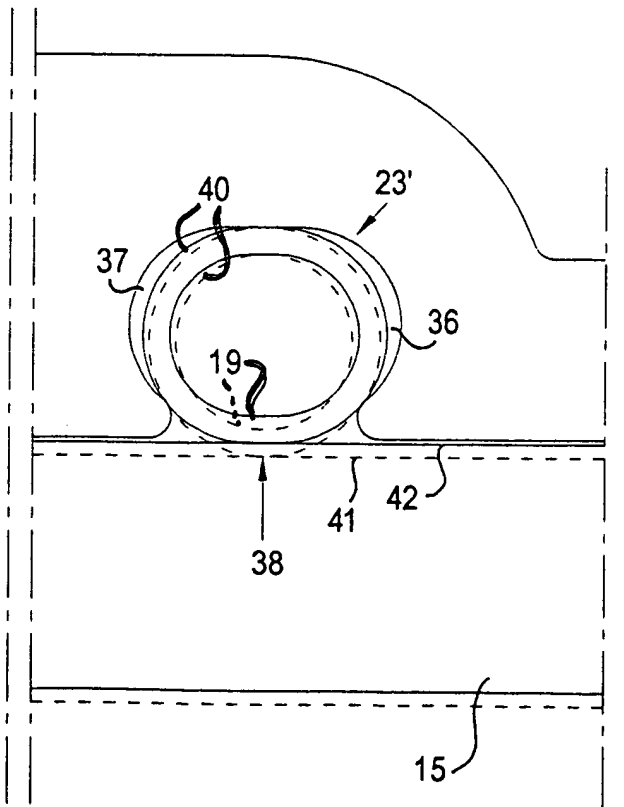


FIG. 9